



10001 Hwy 70
Lakeland, TN 38002-8068

Joseph and Julie Pereira
5055 Adagio Ln.
Lakeland, TN
38002



January 22, 2024

Joseph and Julie Pereira

5055 Adagio Ln.

Lakeland, TN 38002

Code Enforcement recently conducted an inspection of the property located at 5055 Adagio Ln., of which you are shown as the registered property owner(s) via the Shelby County Property Assessor website. The inspection determined that the property referenced above is in violation of City of Lakeland Municipal Code:

14-405 Prohibited signs and devices – Remove the sign displaying the cuss word or cover the word to where it cannot be viewed from the road and neighboring properties.

Corrective action must be taken within twenty-four (24) hours of receipt of this notification. Failure to bring the property into compliance may result in further action to include the possible filing of civil charges with the Lakeland Environmental Court.

Should you have questions concerning this notification, please contact the Code Enforcement Office at (901) 867-5404 during regular business hours. We appreciate your cooperation.

Respectfully,

Katrina Shields

Code Enforcement Officer

Lakeland, TN

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(i) A maximum of one (1) shopping center sign shall be allowed per street frontage and shall be located only on an arterial road (Canada Road, Highway 64, or Highway 70).

(ii) The maximum total sign area shall be one hundred fifty (150) square feet

(iii) The maximum size of the directory space shall be one hundred twenty (120) square feet.

(iv) The maximum height of the sign shall not exceed fifteen feet (15').

(v) The maximum width of the sign face shall be ten feet (10').

(vi) The maximum individual tenant space on the sign shall be fifteen (15) square feet.

(vii) The minimum letter height allowed for tenant identification on the sign shall be ten inches (10").

(viii) The minimum setback from right-of-way is ten feet (10').

(ix) No shopping center sign shall be located within five hundred feet (500') of another shopping center sign.

(x) The shopping center sign shall include the street address of the center, or the address range if more than one (1) address is included in the project.

(xi) The sign shall be placed upon a brick or stone base a minimum of eighteen inches (18") in height measured from finished grade.

(xii) The base of the sign shall be landscaped with evergreen and deciduous shrubbery and seasonal colors on each side of the sign in at least an area equivalent to the total sign area of each face of the sign.

(xiii) No sign within six hundred feet (600') of any residential district shall be illuminated between the hours of midnight and 6:00 A.M. unless the sign is visibly obstructed from the residential district. (1989 Code, § 4-204, as amended by Ord. #192, Dec 1996, replaced by Ord. #03-41, June 2003, and amended by Ord. #04-59, March 2004, Ord. #07-108, Aug. 2007, Ord. #07-109, Aug. 2007, Ord. #12-177, Aug. 2012, and replaced by Ord. #16-245, Oct. 2016)

14-405. Prohibited signs and devices. All signs not express permitted under this chapter or exempt from regulation as provided for in this chapter are prohibited. Such signs include, but are not limited to:

(1) Signs which are of a size, location, movement, content, coloring, or manner or illumination which may be confused with or construed as a traffic control device or which hide from view any traffic or street sign or signal;

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(2) Signs which contain or are an imitation of an official traffic sign or signal or contain the words "Stop," "Go Slow," "Caution," "Yield," "Danger," "Warning" or similar words;

(3) Signs which show pictures of human figures, animals or food, and signs which contain characters, cartoons or statements of an obscene, indecent or immoral character which would offend public morals or decency;

(4) Signs which are of a size, location, movement, content, coloring, or manner or illumination which may be confused with or construed as a traffic control device or which hide from view any traffic or street sign or signal;

(5) Signs which purport to be, or are an imitation of, or resemble an official traffic sign or signal;

(6) Changeable copy signs (manual and automatic), except for civic, institutional and schools. Any changeable copy sign (manual) that does not have a locked, vandal-proof access cover;

(7) Canopies with backlighting shall not be allowed;

(8) Any internally illuminated sign, unless permitted in a commercial district;

(9) Beacons;

(10) Rotating signs;

(11) Snipe signs, or off-premise signs attached to utility poles, trees, or any like freestanding structure;

(12) Windblown devices;

(13) Flashing signs;

(14) Open channel letter signs;

(15) Projecting signs;

(16) Canopy signs;

(17) Marquee signs;

(18) Tag signs;

(19) Portable signs;

(20) Double-faced, "V"-type back-to-back signs;

(21) Pole signs;

(22) Project signs;

(23) Inflatable signs;

(24) Signs painted on or attached to balloons and other such devices, whether hot air or cold air or gas filled;

(25) Animated signs;

(26) Signs which emit audible sound, odor or visible matter;

(27) Off-premise signs;

(28) Any commercial sign located in a residential district not otherwise provided for in this chapter;

(29) Strips or strings of lights outlining property lines, sales areas, roof lines, doors, window, wall edges, or other architectural elements of a building, provided, however, this prohibition shall not apply generally to holiday decorations and lighting;

(30) Neon and other similar type signs located in such a manner as to attract public attention from outside the building that:

(a) Contain a message clearly intended for public recognition outside the buildings such as "drive thru" and other similar messages; or

(b) Are legible from the public right-of-way or adjacent property; provided, however, an illuminated sign containing the word "Open" may be displayed in the front window of a tenant space provided such sign does not exceed four (4) square feet in sign area and must be turned off after business hours or when the tenant space is not being occupied;

(31) Signs attached to, suspended from or painted on any vehicle which is regularly parked on any street or private property when one of the purposes of so locating such vehicle is to display, demonstrate, and advertise or attract the attention of the public:

(a) It is not a violation of this section merely to have a common logo of business sign attached to, suspended from, or painted on a company vehicle regularly engaged in the business of the owner, and;

(b) When appropriate authorities determine that a vehicle is being regularly parked in a manner that violates this chapter, the city will issue a single notice of violation to the owner of the vehicle, to remove said vehicle from the premises. Failure to remove said vehicle might result in further legal action including the removal of said vehicle by the city.

(32) Any sign attached to an accessory structure, except an incidental sign, if such sign is legible from the public right-of-way or from an adjoining property;

(33) Signs which are structurally unsound or which are rendered structurally sound by guy wires or unapproved facing or bracing;

(34) Abandoned, neglected or dilapidated signs;

(35) Any other attention-attracting device, except for those conforming to the dimensional, design, lighting and other standards applicable to a sign in the same location;

(36) Any sign that obstructs or substantially interferes with any window, door, fire escape, stairway, ladder, or opening intended to provide light, air, ingress, or egress to any building;

(37) Ground signs exceeding thirty-two (32) square feet in copy area and/or signs and sign structures in excess of seventy-two inches (72") in height unless otherwise provided for in this chapter;

(38) Signs in any area designated as an undisturbed buffer pursuant to a federal, state or local law, pursuant to a condition of approval for a subdivision, planned development or site plan;

(39) Signs which advertise an activity illegal under federal laws, the laws of the State of Tennessee, or any laws of Shelby County or the City of Lakeland; and

(40) Any sign that exhibits statements, words or pictures of an obscene nature.

(41) Signs not expressly permitted in this chapter are prohibited. (1989 Code, § 4-205, as replaced by Ord. #03-41, June 2003, amended by Ord. #04-59, March 2004, and replaced by Ord. #16-245, Oct. 2016)

14-406. Design and construction standards. (1) Construction standards. All signs shall be designed, constructed and maintained in accordance with the following standards:

(a) All signs shall comply with applicable provisions of local, state and federal building codes including seismic design standards and wind load design specifications.

(b) Electrical signs that have internal wiring or lighting equipment, and external lighting equipment that directs light on signs, shall not be erected or installed until an electrical permit has been obtained from the city or authority having jurisdiction. All such signs and equipment shall bear the seal of approval of an electrical testing laboratory that is nationally recognized as having the facilities for testing and requires proper installation in accordance with the National Electrical Code. All wiring to electrical signs or to freestanding equipment that lights the sign shall be installed underground.

(c) Except for permitted banners, flags, temporary signs and window signs conforming in all respects with the requirements of this chapter, all signs shall be constructed of permanent materials and shall be attached to the ground, a building or another structure by direct attachment to the wall, frame or structure.

(d) All ground-mounted signage shall include landscaping around the entire base of the sign structure. Landscaping shall consist of multiple rows of evergreen and deciduous plant materials and seasonal colors that add visual interest to the sign. All landscaping shall be irrigated. All plant materials shall be properly maintained including the immediate removal and replacement of any dead or diseased plant materials.

(2) Maintenance standards. All signs shall be maintained in good structural condition, in compliance with all building and electrical codes, and in conformance with this chapter. specifically:

(a) A sign shall have no more than twenty percent (20%) of its surface area covered with disfigured, cracked, ripped or peeling paint, poster paper or other material for a period of more than thirty (30) days.

(b) A sign shall not stand with bent or broken sign facing, with broken supports, with loose appendages or struts, or more than fifteen degrees (15°) from vertical for a period of more than ten (10) days.

(c) A sign shall not have weeds, trees, vines, or other vegetation growing upon it, or obscuring the view of the sign from the public

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(1989 Code, § 4-207, as amended by Ord. #193, Dec. 1996, and replaced by Ord. #03-41, June 2003, and Ord. #16-245, Oct. 2016)

14-408. Administration and penalties. (1) Scope of authority of design review commission. The design review commission shall not have the authority to alter or amend this chapter nor to approve a sign not in conformity herewith except as provided in § 14-410 of this chapter and is directed to cooperate with the code enforcement official in the enforcement of same, including but not limited to, the following functions:

(a) The design review commission, upon approving a sign, shall forward the application to the code enforcement official with approval noted thereon.

(b) The design review commission shall identify signs that it believes to be illegal, variance, and/or non-conforming signs to the code enforcement official for enforcement.

(c) The design review commission may take other action within its authority to insure safety, eliminate hazards, and eliminate encroachment upon public streets and property and encroachment upon adjoining land or users.

(d) The design review commission, while it may not approve signs in violation of this chapter, has the specific and general authority to refuse approval of signs, otherwise in compliance with this chapter, which because of unsafe location, unsafe construction, aesthetic deficiency, insufficient structure and/or encroachment upon surrounding property, violate the spirit of this chapter, which is dedicated to the safety and public welfare of all citizens and businesses in the City of Lakeland.

(e) The design review commission shall not review:

(i) Applications and related documents for temporary signs; or,

(ii) Individual signs that are a part of a previously approved site plan; or

(iii) Wall signs that are in compliance with all aspects of the sign ordinance.

(2) Authorization to enforce sign ordinance. The code enforcement official is hereby authorized and directed to enforce all of the provisions of this chapter. Upon presentation of proper credentials, the code enforcement official, or his duly authorized representative, shall be permitted by the owner or occupant to enter at reasonable times, any building, structure or premises in the city of Lakeland to perform any duty imposed upon him by this chapter.

(3) Appeal. (a) Appeal from decision of the code enforcement official:

(i) Any applicant aggrieved by any decision or order of the Code enforcement official may appeal, within a period not to exceed ten (10) days from said action, to the design review commission by serving written notice to the city recorder who, in

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turn shall immediately transmit the notice to the design review commission which shall meet to hear said appeal within thirty (30) days thereafter.

(ii) If the design review commission should fail to hear the appeal within thirty (30) days, the appeal shall be referred directly to the board of commissioners.

(iii) The code enforcement official shall take no further action on the matter pending the design review commission's decision, except from unsafe signs that present an immediate and serious danger to the public, as provided elsewhere in this chapter.

(b) Appeal from decision of design and review commission:

(i) The decision of the design review commission may be appealed directly to the board of commissioners upon written notice of appeal to the board within five (5) days of said action.

(ii) The appeal shall be heard at a scheduled meeting of the board of commissioners.

(iii) The board of commissioners may accept, reject or modify the action of the design and review commission.

(iv) Any action on an appeal from the design review commission shall require a minimum of four (4) affirmative votes of the board of commissioners and in the absence thereof, the action of the design review commission shall become final and binding.

(4) Penalties. Any person, firm or corporation violating any of the provisions of this chapter shall be deemed guilty of a misdemeanor, and upon conviction thereof, shall be fined not more than the maximum allowable fine under state law, each day's continuance of a violation constituting a separate offense. The owner of any sign, building, premises, or part thereof, where a sign in violation of this chapter shall be placed, or shall exist, and any person who may have assisted in the commission of any such violation, shall be guilty as an accessory of the offense. (1989 Code, § 4-208, as replaced by Ord. #03-41, June 2003, amended by Ord. #04-59, March 2004, and replaced by Ord. #16-245, Oct. 2016)

14-409. Permits and fees. (1) Permits required for signs. (a) All permanent and temporary signs allowed under this chapter, including existing signs, shall require a permit unless provided otherwise in this chapter.

(b) No sign shall be placed, constructed, erected, altered or relocated on a site without a permit, except as otherwise provided herein. Required electrical permits shall be obtained at the same time the sign permit is obtained by the applicant.

(c) With the exception of signs that comply with a sign plan contained within an approved planned unit development (provided such